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COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE MAY 12, 1993 FILE NO. 093-03630-0181-051

C- ASSAULT WITH A DEADLY WEAPON ON A PEACE OFFICER -245(C) P.C./DEPUTY INVOLVED SHOOTING/PERSON DEAD

Action Taken ACTIVE/INVESTIGATION MADE/CC#93-04479/ EVIDENCE HELD

V- SEE BELOW

D- 05-08-93 (SATURDAY) AT 2120 HOURS

L- [redacted] EAST 89TH STREET, LOS ANGELES 90002 (FIRESTONE DISTRICT)

S#1 CARBALLO, MANUEL ENRIQUE MH/30 DOB: 09-25-62 (DECEASED)
AKA: CARUALLO, MANUEL E.
AKA: CARBALLO, JOSE HERNAN

S#2 CARBALLO, OSMIN ANTONIO MH/27 DOB: 11-30-65 (INJURED)

VICTIMS:

#1 - ELLISON, Christopher Adam MW/30 (Deputy #[redacted])

#2 - ARRIAGA, Michael Stephen MH/32 (Deputy #[redacted])

#3 - REWALD, James MW/29 (Deputy #[redacted])

#4 - RECTOR, Rick O'Niell MW/25 (Deputy #[redacted])

EVIDENCE HELD:

Item #1 - A Polaroid 8mm tape cassette.

Item #2 - Six Los Angeles County Coroner's envelope each containing a bullet, recovered from the remains of Suspect Manuel Enrique Carballo, Lab Receipt No. H576786.

Item #3 - One brown paper bag containing Suspect Manuel Enrique Carballo's clothing, recovered from the Los Angeles County Coroner's Office, consisting of one pair of gray pants, one black belt, one short sleeved white T-shirt with blue trim, one pair of white cotton underwear, and one pair of black canvas shoes.

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On 05-08-93 at 2220 hours, Investigators arrived to [redacted] East 89th Street, Los Angeles, to investigate the circumstances surrounding a deputy involved shooting.

Investigators contacted Deputies Soto and Doke, assigned to Firestone Station, Unit #14, P.M.'s. These deputies told Investigators that they had responded to the location after Firestone Unit #11 and #13, P.M.'s had put out a call for assistance regarding a deputy involved shooting.

At the location, Deputy Soto contacted Deputies Rector and Rewald assigned to Firestone Unit #11, P.M.'s, and Deputies Arriaga and Ellison assigned to Firestone Unit #13 P.M.'s. All four deputies told Deputy Soto that they had confronted an armed suspect inside the rear apartment of the location.

The armed suspect, identified as Suspect Manuel Carballo, pointed a handgun at all four deputies during the incident. All four of the deputies told Deputy Soto that they had fired their handguns at Suspect Carballo. Suspect Carballo was lying on his back in the kitchen of the location. Almost immediately upon Deputy Soto's arrival, paramedics from Los Angeles County Fire Department, Engine #16, commanded by Captain Osbey, arrived. Captain Osbey pronounced the suspect dead at 2121 hours. Deputy Soto contained the crime scene and Deputies Rector, Rewald, Ellison, and Arriaga were transported to Firestone Station.

A complete and detailed preliminary investigation report, under the above file number, was prepared by Deputy Soto and will be maintained by Investigators as a permanent part of the case file.

Investigators noted the location to be a one story, [redacted], single family home, that is divided into two distinct and separate apartments. The structure is on the south side of 89th Street. The home is approximately [redacted] feet [redacted] of Compton Avenue and is directly [redacted] of a [redacted] that runs parallel with and east of Compton Avenue. The location where the incident occurred was the rear/south portion of the single family home, which is divided into a separate apartment itself. This apartment consists of one bedroom, one bathroom, a kitchen, and a living room. There are two doors, both facing south, that lead inside of this apartment. One of the doors was on the extreme southeast corner of the location and is a wooden door that opens inward. This wooden door opens into the kitchen of the apartment.

Another door was located on the extreme southwest corner of the location and this door was a metal security type door that opens outward. This door leads into a small entryway and then the living room of the location. There was a driveway on the west side of the home, approximately 200 feet long running in a north/south direction from 89th Street to the rear of the home.

There is a large parking area approximately 30 feet by 50 feet, directly south of the location. Parked in this area, facing eastbound, was a black Nissan truck with a broken windshield, license No. [redacted]. Parked approximately 4 feet south of this black pick-up truck was a tan Oldsmobile station wagon, also facing eastbound, license No. [redacted].

Investigators noted that approximately 20 feet south of these two parked vehicles was another two story, [redacted] apartment building with garages underneath, facing northbound.

Suspect Carballo was lying on his back in the kitchen of the location. His head was pointing in a northwest direction with his feet pointing southeast. The suspect was wearing a short sleeved white T-shirt with blue trim, a pair of gray pants, a black belt, and black shoes. The suspect had a wristwatch on his left wrist. The suspect's arms were at his side and his right leg was bent back at the knee, so that his right hand was touching his ankle. There was a large pool of dark blood directly underneath the suspect's head and shoulder area, approximately 3 feet in diameter.

Directly under the suspect's right knee was a blue steel .45 caliber semiautomatic pistol. The hammer on the pistol was in the cocked position. Investigation revealed that the pistol was a PARA-ORDNANCE brand, semiautomatic pistol, serial No. PG[redacted]. The pistol had a different serial number on the slide, which was [redacted]. The pistol was unloaded and did not have a magazine.

At 2245 hours, Investigators Melinda Hearne and Jack Smith from Homicide Bureau, arrived to the location and took control of the crime scene. A complete and detailed report, under the above file number, will be prepared by the Investigators and will be made a permanent part of the case file.

On 05-08-93 at 2355 hours, Investigators contacted WITNESS [redacted], MH/6, at Firestone Sheriff's Station Detective Bureau. Witness [redacted] told Investigators that earlier in the evening he had seen a male Hispanic adult standing in the alley next to the location, shooting a gun into the air. The witness said he saw uniformed deputies from the Sheriff's Department arrive to the location and saw the suspect that he had earlier seen shooting a gun and deputies, running. He said he heard the deputies yelling, "freeze," immediately after seeing both the deputies and the suspect running. The witness did not see the deputies shooting at the suspect and could provide no further details regarding the incident. The witness told Investigators he did not know his address, however, he had a relative who was friends with the suspect who was killed. Witness [redacted] could not explain to Investigators what he was doing at the suspect's apartment and could provide no further details.

Witness [redacted] statement was tape recorded and a transcript of that interview will be maintained by Investigators as a permanent part of the case file.

On 05-09-93 at 0010 hours, Investigators contacted **WITNESS** [redacted] [redacted], MH/15, DOB: [redacted], at the Firestone Sheriff's Station Detective Bureau. Witness [redacted] told Investigators that he was standing by a gate [redacted] the alley from the location. He said he was attending a large party on Compton Avenue, just south of 89th Street. He said he had been hearing shots coming from the location since approximately 2000 hours on Saturday, 05-08-93. The witness said he was standing by the gate for approximately 30 minutes prior to the shooting incident involving the deputies. He said he was accompanied by a male Hispanic adult known only to him as "[redacted]". The witness went on to tell Investigators that prior to the shooting incident with the deputies, he had seen the suspect standing both at his kitchen door and in the driveway area of his home shooting a handgun into the air.

Witness [redacted] said the suspect was accompanied by a male Hispanic companion of his who at one time took possession of the gun, but appeared to be unable to properly work it and fire it into the air. Witness [redacted] said his friend [redacted] is an acquaintance of the suspects'. He told Investigators he was standing in the alley just [redacted] of the location when uniformed Deputy Sheriff's arrived in a marked radio car. He said he left upon their arrival, because he didn't want to be detained by them. As he was walking away from the location, he heard one of the deputies yell, "Hey, freeze," in English. After that the witness heard many shots, possibly 20 or more. He said he did not see the Sheriff's Deputies actually shooting their weapons and that he fled after hearing the multiple shots. The witness said he had nothing further to add and at this time the interview was terminated.

The witnesses' interview was tape recorded and a transcript of that interview will be maintained by Investigators as a permanent part of the case file.

On 05-09-93 at 0020 hours, Investigators contacted **WITNESS** [redacted] [redacted], MH/14, DOB: [redacted]. The witness was interviewed at Firestone Sheriff's Station Detective Bureau, using Deputy [redacted] #[redacted] as an interpreter. Witness [redacted] told Investigators that he knew Suspect Manuel Carballo by the nickname of "Rifle". The witness told Investigators that "Rifle" was from El Salvador and to his knowledge did not speak any English. He said prior to the shooting incident he and "Rifle" had been out driving around in "Rifle's" yellow station wagon. When they got to "Rifle's" home, which was where the incident occurred, "Rifle" was shooting a .45 caliber handgun into the air. The witness said "Rifle" had two magazines for the handgun and that he fired many rounds into the air.



The witness went on to relate that "Rifle" was very drunk and that he was accompanied by another male Hispanic adult whom the witness did not know. The witness thought that possibly "Rifle's" companion was his brother, although he was unsure. The witness said when "Rifle" was firing the handgun into the air, he was standing in the backyard, between the black pick-up truck and a yellow station wagon, directly south of "Rifle's" apartment. The witness said "Rifle" was shooting the gun into the air because there was a loud party going on directly west of his apartment, at the location on Compton Avenue, just south of 89th Street.

Witness [redacted] told Investigators just prior to the arrival of the deputies, he was with his friend, [redacted], at the corner of 91st and Compton Avenue. When the deputies arrived on Compton Avenue, [redacted] ran down to 89th and Compton Avenue to see what was going on. A short time later, the witness was told by unknown persons that [redacted] had been detained by uniformed Sheriff's Deputies and the witness walked down there to see why the deputies were detaining his friend. The witness said prior to the arrival of the deputies, he had been standing in the alley watching as the suspect fired five or six rounds into the air. The witness said he left after this incident because he didn't want to get into any trouble. He said his companion, [redacted], was still with "Rifle" and his companion after the witness left.

Witness [redacted] was under the impression that his friend [redacted] was not at the location of the incident until after the uniformed Sheriff's Deputies had arrived. He went on to say that earlier in the evening at 1900 hours on 05-08-93, Saturday, he was at the location with "Rifle" and two other male Hispanic adults whom he did not know. He said "Rifle" and his two friends were all drinking heavily and talking about going to the fights. The witness said "Rifle" appeared to be very drunk. Witness [redacted] had nothing further to add and at this time the interview was terminated.

Witness [redacted] interview was tape recorded and a transcript of that interview will be maintained by Investigators and made a permanent part of the case file.

On 05-09-93 at 0053 hours, Investigators contacted WITNESS [redacted], MH/25, DOB: [redacted]. Witness [redacted] told Investigators that he was attending a party in the 8900 block of South Compton Avenue. He arrived at the party at 1800 hours on 05-08-93, Saturday. He said from the time of his arrival until the time that the Sheriff's Deputies arrived he continued to hear gunshots throughout the evening, coming from the area where the incident occurred. He said uniformed deputies arrived at the party and were talking to people regarding hearing some shots. He said the owner of the property was speaking to the deputies when everybody, including the deputies, heard gunshots coming from the location. It appeared clear to the witness that the deputies had

heard the gunshots and discontinued their conversation with the owner of the property, where the party was, and started walking eastbound through the property, towards the alley, just east of Compton Avenue.

Witness [redacted] said at this time he thought something was going to happen and he went inside of the location where the party was going on to retrieve his video camera. The witness said while he was inside the home retrieving his video camera, he heard many gunshots. He said some of these shots were louder than others and he thought that they were coming from different weapons. After the witness retrieved his camera, he walked outside into the back-yard of the location he was at and walked up to the fence, which was on the [redacted] side of the alley dividing the location where the shooting occurred, from where the witness was standing. He said he saw a Deputy Sheriff standing on the southeast corner of the property where the incident occurred.

Witness [redacted] said he saw a second deputy walking towards the first deputy on the southeast corner. As the second deputy was walking towards the first deputy, the witness said that he heard two gunshots, however, he was unsure of where they came from. He said at this time he turned on his camera after hearing the second shot. The witness said the next thing he knew the first deputy that he had seen standing on the southeast corner of the property was now standing by the west door of the property. He said he watched as this deputy shot two or three times into the location into what he believed was the west door of the property. After firing several rounds, the witness said the deputy then went into the location. A short period of time later, this same deputy came out with a male Hispanic adult who had one hand on his head and one hand behind his back.

This male Hispanic adult was ultimately handcuffed and placed in-side of the Sheriff's radio car that was parked in the alley just [redacted] of the location. Witness [redacted] said he was filming a portion of the incident, however, when he played the film back on his video camera, he said it was very dark, grainy, and out of focus. He said the audio portion of the film was good and you could hear the shot fired by the deputy. This film was turned over to a uniformed deputy from Firestone Sheriff's Station who wrote a supplemental report under the above file number and booked this film cassette into evidence. This film cassette (Evidence Held Item #1) was ultimately retrieved by Investigators and will be maintained as evidence. Witness [redacted] said he had nothing further to add and at this time the interview was terminated. Investigators reviewed the above tape and determined there was little or no value to the contents as it relates to this incident.

Witness [redacted] interview was interpreted by Deputy [redacted] from Firestone Sheriff's Station and tape recorded. A transcript of



the witnesses' interview will be maintained by Investigators and made a permanent part of the case file.

On 05-09-93 at 0112 hours, Investigators contacted **WITNESS** [redacted], MH/21, DOB: [redacted]. Witness [redacted] told Investigators that he was eating dinner at his home, located in the area of 89th Street and Compton Avenue, when he heard what sounded like machine gun fire. The witness said he ran to his friend's house, identified as Suspect Manuel Carballo. He told Investigators he ran there because he thought that was where the machine gun fire was coming from. When Witness [redacted] tried to enter the suspect's home using a gate on 89th Street, he was unable to get through the gate because it was locked. He then jumped over it and ran down the driveway to the rear of the location.

Witness [redacted] said he entered the suspect's home through the west living room door. Upon entering the home, the witness saw a male Hispanic adult, later identified as Suspect Osmin Carballo, sitting on the living room floor. This suspect appeared to be bloody and Witness [redacted] said that he did not know him. When the witness attempted to go into a bedroom on the west side of the apartment he was confronted by a uniformed Sheriff's Deputy who told him to raise his hands and escorted him outside of the location. The witness was handcuffed and placed in a marked Sheriff's radio car that had been parked in the alley. The witness said he did not see the uniformed deputies in the backyard as he entered the home. He said the home was occupied by a friend of his known as [redacted], MH/22.

Witness [redacted] said [redacted] had moved out of the home and that the occupant of the home was a male Hispanic known to him as "Rifle". He said "Rifle" had two brothers. The witness said on the weekends, often times, "Rifle" and his two brothers would be at the location drinking heavily. The witness said six to seven months ago he lived at the location with "Rifle" and [redacted] and that he knew then that "Rifle" had a severe drinking problem. Witness [redacted] had nothing further to add and at this time the interview was terminated.

Witness [redacted] interview was interpreted by Deputy [redacted] and tape recorded. A transcript of the witnesses' interview will be maintained by Investigators and made a permanent part of the case file.

On 05-09-93 at 0130 hours, Investigators contacted **WITNESS** [redacted] MH/21, DOB: [redacted]. Witness [redacted] told Investigators that on Saturday, 05-08-93, at 0700 hours, he had arrived to the location of the party in the 8900 block of South Compton Avenue. The witness said throughout the entire day, until the deputies arrived and the shooting incident occurred earlier

this evening, he had heard gunshots coming from the area. Witness [redacted] told Investigators that on Friday, 05-07-93, he was at the location when he saw several male Hispanic adults at the location of the shooting incident, breaking out the windows of a black pick-up truck that was parked just south of the apartment where the shooting occurred.

Witness [redacted] said these people appeared to be very drunk and were acting crazy. He said prior to the deputies arrival, he heard several gunshots coming from the area of the alley. He said four uniformed Sheriff's Deputies arrived to the party and were talking to several people at the party, trying to determine where the gun-shots were coming from. He said while the deputies were at the party, everybody heard more gunshots coming from the area of the location. He said the deputies ran east, from the party, through the backyard, and into the alley, separating the location of the party from the location where the shooting occurred. The witness said he ran behind the deputies and was standing in the rear yard of the party location looking across the alley towards the area where the shooting occurred.

Witness [redacted] told Investigators he thought that there was a male Hispanic suspect with a gun, standing in the southwest corner of the yard, where the shooting incident occurred. He said when the deputies reached the alley, he heard several more gunshots and saw the deputies ducking down and running towards the west door of the location. He said there were no more gunshots heard once the deputies entered the home. The witness told Investigators that he had nothing further to add and at this time the interview was terminated.

The witnesses' interview was interpreted by Deputy [redacted] and tape recorded. A transcript of that interview will be maintained by Investigators as a permanent part of the case file.

On 05-09-93 at 0145 hours, Investigators contacted **WITNESS** [redacted], MH/12, DOB: [redacted]. Witness [redacted] told Investigators he was attending the party in the 8900 block of South Compton Avenue. He said while at the party he heard several loud bangs and wasn't sure if they were in fact gunshots or just firecrackers. He said he saw uniformed Sheriff's Deputies arrive to the party and they were trying to determine where the sound of the gunshots or firecrackers was coming from. He said he never saw the suspects shooting any guns, however, he did see the deputies running through the alley and into the rear yard of the location. He said he saw one deputy standing in the southwest corner of the yard. The witness said he saw a second deputy standing in the driveway who appeared to shoot down the driveway. The witness said he thought this deputy fired his gun six or seven times and he did not know what the deputy was shooting at.

A short time later, the witness saw a uniformed Sheriff's Deputy take a male Hispanic adult out of the home, who appeared to have been shot in the stomach. This man was handcuffed and placed in a radio car. A short time later, firemen and paramedics arrived and treated this man for the gunshot wound to the stomach, in the alley just [redacted] of the location. Witness [redacted] said he had nothing further to add and at this time the interview was terminated.

The witnesses' interview was tape recorded and a transcript of that interview will be maintained by Investigators and made a permanent part of the case file.

On 05-09-93 at 0200 hours, Investigators contacted **VICTIM DEPUTY ADAM CHRISTOPHER ELLISON**, MW/30, #[redacted]. Deputy Ellison told Investigators he has been working at Firestone Sheriff's Station for four years and two months. He said he was assigned Unit #13, P.M.'s and that he was the driver. His partner was Deputy Mike Arriaga. Deputy Ellison said he and his partner received a radio call of possible shots fired in the alley, north of the location where the shooting occurred. He said when they arrived to this location they encountered a male and female Black who stated that the shots were being fired from a party the next street over. Deputy Ellison said at this time he contacted their assisting unit, Firestone Unit #11, and told them to park their radio car on Compton Avenue, just south of 89th Street where the party was occurring.

Deputy Ellison said he and his partner then drove southbound in the north/south alley between the location where the shooting occurred and the location on Compton Avenue where the party was going on. After parking his radio car in the alley, Deputy Ellison and his partner contacted an unidentified person at the party. He said they were told by this person, that there were shots being fired from the area, directly across the alley, just [redacted] of where they were currently at. While speaking to this person, Deputy Ellison heard six or seven shots coming from that area. He said at this time, he and Deputies Arriaga, Rewald, and Rector walked across the alley and went to the parking area, just south of the duplex where the shooting occurred.

Deputy Ellison said as they arrived there a young male Hispanic, approximately seven or eight years old, walked out the west door of the apartment and was holding his fingers in his ears. Deputy Ellison asked this young boy if he had been lighting firecrackers and the boy pointed towards the east door of the location, without saying anything else. Deputy Ellison said at this time he walked towards the west door of the location and peeked around the corner looking into the entranceway and living room of the apartment. He then heard what sounded to him like the slide action of a gun

being worked four to six times. Deputy Ellison entered the location and was standing on the threshold of the entranceway, in the living room, when he looked east towards the kitchen. He saw a male Hispanic adult who was working the action of a .45 caliber semiautomatic pistol standing in the kitchen facing west towards him.

Deputy Ellison said the suspect appeared to place a magazine into the pistol and chamber a round. He said the suspect appeared unaware of his (the deputy's) presence. Deputy Ellison then heard Deputies Arriaga and Rewald yelling at the suspect in both English and Spanish, "Drop the gun. Put your hands up." Deputy Ellison watched as the suspect turned, now facing southbound looking out the kitchen door at Deputies Arriaga and Rewald. He said almost immediately he heard the deputies fire many shots and approximately a 1/4 second later he fired four shots at the suspect. He said he fired at the suspect fearing the suspect was going to shoot the other deputies.

Deputy Ellison said he saw the suspect fall down on the kitchen floor and knew that he had been hit. A short time later, the deputy heard movement coming from within the kitchen and again heard the deputies yelling, "Put your hands up. Come out of the house," in both English and Spanish. Deputy Ellison believed at this time that there was a second armed suspect inside of the kitchen, out of his line of sight. He said the living room entranceway, where he was standing, was not lit, however, there was a light on in the kitchen. He said almost immediately after hearing the second set of commands to "Put your hands up. Come out of the house," in both English and Spanish, the second suspect came running out of the kitchen, westbound into the living room towards Deputy Ellison.

Deputy Ellison said this second suspect brought both of his hands together, in what he felt was a threatening motion, as if the suspect was aiming a weapon at him (Deputy Ellison). He said he was approximately one foot away when believing the second suspect was armed, he fired a single round at the suspect, striking him in the stomach. He said that the suspect started speaking rapidly in Spanish and he (Deputy Ellison) did not understand what he was saying. The suspect stayed standing for several seconds, continuing to speak in rapid Spanish. Deputy Ellison told the suspect to relax and at this point the suspect started to sit down on the living room floor. Deputy Ellison said he attempted to handcuff the second suspect and he was resisting and combative. Deputy Ellison said he was assisted by Deputy Rewald, finally overcoming the second suspect's resistance and placing him in handcuffs.

This suspect was ultimately assisted in walking out of the home and placed into Deputy Ellison's radio car, which was parked in the alley just [redacted] of the location. A short time later

paramedics from Squad #16 arrived and treated the suspect in the alley, just behind the radio car. Deputy Ellison told Investigators that he initially fired four shots from his Departmentally issued Beretta, 92F, semiautomatic pistol, at the first suspect who was in the kitchen. He said he then fired a single shot at the second suspect who had come at him with what Deputy Ellison believed was a handgun or weapon in his hands.

Deputy Ellison told Investigators he normally carries his Departmentally issued pistol with fifteen rounds in the magazine and one in the chamber. Sergeant Adams took possession of Deputy Ellison's handgun, serial No. BE[redacted]Z. Inspection of this handgun revealed that it was loaded with ten live rounds in the magazine and one live round in the chamber, indicating that Deputy Ellison had in fact fired five rounds. Deputy Ellison's handgun was transported to the Firearms Section of the Sheriff's Crime Lab for test firing. Deputy Ellison's interview was tape recorded and a transcript of that interview will be maintained by Investigators as a permanent part of the case file.

On 05-09-93 at 0220 hours, Investigators contacted **VICTIM DEPUTY MICHAEL STEPHEN ARRIAGA**, MH/32, #[redacted]. Deputy Arriaga told Investigators he has been working at Firestone Sheriff's Station for 4 1/2 years. He said earlier this evening he and his partner, Deputy Ellison, were working Firestone Unit #13, P.M.'s. Deputy Arriaga was the bookman with Deputy Ellison driving. Deputy Arriaga told Investigators at 2120 hours they received a radio call of shots fired in the alley between 88th and 89th Street, just east of Compton Avenue. He said when they arrived to the alley they saw two Black people who were unrelated to the incident. They contacted these people and were directed to the party that was going on in the 8900 block of South Compton Avenue, as being the source of where the shots were coming from.

Deputy Arriaga said he told their assisting unit, Unit #11, to go to the Compton Avenue address and park in front of it. He said he and Deputy Ellison then parked their radio car in the alley, just east of Compton Avenue. He said that they contacted an unidentified male Hispanic adult at the party who told them that the shooting was occurring on the [redacted] side of the alley, directly [redacted] from where the party was occurring. Deputy Arriaga said he and the other deputies were walking from the party, towards the location where the shooting occurred, when they heard several loud bangs. He said immediately after this, he saw a male Hispanic boy, approximately seven or eight years old, walking out of the west door of the location, holding his fingers in his ears.

Deputy Arriaga asked the young boy about any firecrackers being set off. The boy's response was to point towards the east door of the location. Deputy Arriaga took a position at the east side of the east door. Deputy Rewald was assisting Deputy Arriaga and he

was standing on the west side of this easternmost door. While standing there, Deputy Arriaga heard the slide working from an automatic weapon. He said he could look through this open east door and see the suspect was loading, what appeared to be, a semi-automatic pistol. He said at this point the suspect was facing in a northwest direction and was looking down towards the gun. Deputy Arriaga ordered the suspect, both in English and Spanish, to "Drop the gun. Put your hands up," several times.

Deputy Arriaga said the suspect initially had the gun down at his side and that the suspect turned, looked towards Deputies Arriaga and Rewald, and brought the gun up at waist level, pointing it at them. He said at this time he fired ten to twelve times at the suspect. He said to his knowledge, at this time, Deputy Ellison had entered the location through the westernmost door, and that Deputy Rewald was standing next to him, also firing at the suspect. He said both he and Deputy Rewald backed out of the positions they were in and he (Deputy Arriaga) took a position of cover between the black pick-up truck and the yellow station wagon that were parked just south of the structure.

Deputy Arriaga said he started reloading and putting a new magazine into his pistol. While doing this, he saw a second suspect through the kitchen window. He said he ordered this second suspect, in both English and Spanish, to come out of the house and keep his hands up in the air. Believing this suspect was also armed, Deputy Arriaga fired one shot at the suspect. He said prior to firing this single shot, he heard gunfire coming from inside of the home and he thought that the second suspect was firing back at him. He said he then got on the radio and requested assistance, stating that deputies had been involved in a shooting. He said he then moved to a position behind the yellow station wagon and watched as Deputy Rewald entered the location through the westernmost door in order to assist Deputy Ellison.

Deputy Arriaga then entered the location through the easternmost door and saw the suspect lying on his back in the kitchen with a pool of blood underneath him. Simultaneously, Deputies Ellison and Rewald had taken the second suspect out of the location through the west door and were placing him in the radio car parked in the alley. At this time, it appeared obvious to Deputy Arriaga that the suspect in the kitchen was dead. A short time later paramedics from Squad #16 arrived and confirmed Deputy Arriaga's belief that the suspect was dead. Deputy Arriaga told Investigators he carries the Department issued, Berreta 92F, serial No. BER[redacted]Z. Deputy Arriaga said he always carries his handgun with fifteen rounds in the magazine and one in the chamber.

Deputy Arriaga's weapon was inspected by Sergeant Adams and it was revealed that he had fourteen live rounds in the magazine and one

in the chamber. This was, according to Deputy Arriaga, his second fresh magazine that he had reloaded with. Deputy Arriaga indicated to Investigators that his first magazine that he had emptied at the scene should have had two or three live rounds left in it.

Investigators, upon their initial arrival to the scene of the incident, had noted that there was one live 9mm round, that appeared to be Sheriff's Department issue, lying on the ground between the black pick-up truck and the yellow station wagon. Lying in the general area of this round, Investigators had also noted a magazine for a Berreta 92F, which was identified as being Deputy Arriaga's. Investigators determined that this magazine had two live rounds in it. It appeared to Investigators that Deputy Arriaga had in fact fired twelve or thirteen rounds out of his first magazine. He had possibly dropped one live round during the reloading process of his second magazine or a live round came out of his first magazine as he dropped it to the ground. This would of left two live rounds in his first magazine, which was ultimately recovered and held as evidence by Investigators Hearne and Jack Smith.

Deputy Arriaga then indicated that he had fired a single round from his second fresh magazine. The total number of rounds actually fired by Deputy Arriaga would of been thirteen or fourteen, plus one live round that was inadvertently dropped during the reloading process. Deputy Arriaga told Investigators he had nothing further to add and at this time the interview was terminated.

Deputy Arriaga's interview was tape recorded and a transcript of that interview will be maintained by Investigators and made a permanent part of the case file.

On 05-09-93 at 0240 hours, Investigators contacted **VICTIM DEPUTY JAMES REWALD**, MW/29, #[redacted]. Deputy Rewald told Investigators he has been assigned to Firestone Sheriff's Station for four years. He said he was assigned to Unit #11, P.M.'s, where he was the bookman. His partner was Deputy Rector who was the driver. Deputy Rewald said earlier in the evening he and his partner had gotten the assist on a shots fired call at 89th Street and Compton Avenue. He said he and his partner were directed over the tactical frequency to meet Deputies Ellison and Arriaga at the party, located in the 8900 block of South Compton Avenue. He said they parked their radio car on Compton Avenue.

While at the party, Deputy Rewald said they contacted several unidentified people who told them that the shots were coming from the area directly [redacted] of them, [redacted] the alley. He said while they were talking to the people at the party, he heard four of five shots coming from the area of the incident. He said at this time he thought that their assisting unit, Deputies Arriaga and Ellison had been involved in a shooting. Deputy Rewald said he

then ran eastbound through the yard at the party, towards the alley. He was told at this time by the deputies there was "only fireworks". Immediately after being told this, Deputy Rewald saw a young male Hispanic boy, seven or eight years old, walking out of the west door of the location. He said the boy appeared to be holding his hands up to his head.

One of the deputies asked the boy if he was lighting off fireworks inside of the home and the boy pointed towards the east door of the location. Deputy Rewald said at this time he was at the rear of a black pick-up truck that was parked in the driveway area, just south of the location. He said he heard the cycling of a pistol action and watched as Deputy Arriaga walked towards the easternmost door and took a position just east of this door. Deputy Rewald took a position just west of this easternmost door, so that he and Deputy Arriaga were on either side of this door (leading into the kitchen). Standing in the kitchen, Deputy Rewald saw a male Hispanic adult, identified as Suspect Manuel Carballo, facing westbound. The suspect appeared to be working the action on a blue steel semiautomatic handgun and Deputy Rewald thought he was attempting to load it. Both Deputy Rewald and Deputy Arriaga started yelling in Spanish and English, "Drop the gun. Put your hands up," towards the suspect.

Deputy Rewald said he saw Suspect Manuel Carballo look towards Deputy Arriaga and raise the gun from along side his leg up towards his waist and chest level. He said the gun was pointing at Deputy Arriaga and he saw and heard Deputy Arriaga firing at the suspect. He said he also fired at the suspect and moved to his left to get out of the line of fire. He said after he stopped firing, he reloaded and almost immediately saw a second suspect standing in the kitchen window. Deputy Rewald told Investigators that he thought he fired thirteen times and then reloaded firing an additional two times towards the second suspect. Deputy Rewald said he thought the first suspect, with the handgun, had fired four or five times at both him and Deputy Arriaga.

Deputy Rewald fired two additional shots through the south wall of the home, towards the second suspect that he had seen in the kitchen window. He said he thought that this suspect was also armed and firing at both him and Deputy Arriaga. He said after firing at the second suspect, that he had seen through the kitchen window, he saw the suspect move away and heard a single gunshot. He said he then ran into the location through the west door where he saw Deputy Ellison attempting to handcuff the second suspect. Deputy Ellison was yelling, "It's okay. It's code 4," and Deputy Rewald assisted Deputy Ellison in handcuffing the second suspect. Deputy Rewald told Investigators he had fired a total of fifteen rounds. He said he carries his personally owned Beretta, 92F, semiautomatic pistol, serial No. D[redacted]Z.

Deputy Rewald said he carries fifteen live rounds in a magazine and one in the chamber. Sergeant Adams inspected Deputy Rewald's gun and noted that it contained thirteen live rounds in the magazine and one in the chamber. Deputy Rewald's first magazine, the one he had fired thirteen rounds from, was recovered by Investigators Smith and Hearne from the location. This magazine was found lying in the dirt just south of the location. Closer inspection of this magazine revealed that it contained three live 9mm rounds, indicating that Deputy Rewald had in fact fired thirteen rounds from the first magazine, dropped it, containing three live rounds, and then fired two other rounds from his fresh magazine. Deputy Rewald said he had nothing further to add and at this time the interview was terminated.

Deputy Rewald's interview was tape recorded and a transcript of that interview will be maintained by Investigators and made a permanent part of the case file.

On 05-09-93 at 0300 hours, Investigators contacted **VICTIM DEPUTY RICK O'NIEL RECTOR**, MW/25, [redacted]. Deputy Rector told Investigators he has been assigned to Lynwood Patrol for approximately a [redacted] and has only been working Firestone Patrol for one week. Deputy Rector said he was the driver in Firestone Unit #11, P.M.'s, with his partner Deputy Rewald working the bookman position. Deputy Rector said he and his partner got the assist on a shots fired call. Deputy Rector said he was directed by Deputies Arriaga and Ellison, via the MDT, to park in the 8900 block of South Compton Avenue, and assist them in determining if the shots were coming from a large party that was occurring at that location.

Deputy Rector said after they had determined that the shots were not coming from the party, he was standing at the rear of the location where the party was occurring when he heard several loud bangs. Deputy Rector was unsure if these loud bangs were fireworks or gunfire. He said he and his partner were then standing at the rear alley, dividing the location where the party was occurring, from the location where the shooting ultimately occurred. Deputy Rector saw a young boy approximately seven or eight years old walking out of the west door of the location, holding his ears with both hands.

Deputy Rector said one of the deputies asked this young boy if he was lighting fireworks and the young boy pointed towards the east door or the location. He said he then took a position of cover in the parking area, just south of the location, standing behind a yellow station. He watched as Deputies Arriaga and Rewald walked towards the east door of the location. He said he watched as Deputies Arriaga and Rewald fired through the easternmost door, inside of the location, at the male Hispanic suspect who was standing in the doorway. Deputy Rector said after Deputies



Arriaga and Rewald had fired their guns, they were moving westbound towards him in order to reload. He said at this time he fired two rounds towards the window that was just west of this easternmost door, in order to provide cover for Deputies Arriaga and Rewald as they were reloading.

Deputy Rector said Deputy Arriaga was reloading his weapon as he (Deputy Rector) was firing. He said he stayed in the position of cover he had taken, behind the station wagon. He was able to see the second suspect standing in the kitchen window, looking out towards him. He said the second suspect was also ordered out of the home in both English and Spanish, by Deputies Arriaga and Rewald. Deputy Rector said a short time later, Deputies Rewald and Arriaga entered the home through the west door and assisted in handcuffing the second suspect and escorting him outside to the radio car parked in the alley. Deputy Rector said he carries a Department-issued Beretta, 92F, semiautomatic pistol, serial No. BE[redacted]Z. He said he carries the weapon with fifteen live rounds in the magazine and one in the chamber.

Sergeant Adams inspected Deputy Rector's pistol which revealed that it was loaded with thirteen live rounds in the magazine and one in the chamber, confirming Deputy Rector's belief that he had fired two rounds. Deputy Rector said he had nothing further to add and at this time the interview was terminated.

Deputy Rector's interview was tape recorded and a transcript of that interview will be maintained by Investigators and made a permanent part of the case file.

On 05-09-93 at 0330 hours, Investigators returned to the location where the incident had occurred. Investigators contacted Coroner's Investigator Cheryl Goodman, who conducted a preliminary examination of Suspect Manuel Carballo's remains.

At 0339 hours, the room temperature was 68 degrees.

At 0344 hours, Suspect Manuel Carballo's liver temperature was 93 degrees.

An examination of Suspect Carballo's remains indicated that he had a single gunshot wound to the right chest area, directly above his right nipple. The suspect also had a gunshot wound in the right middle portion of his back. The suspect had a gunshot wound on his right shoulder, back area. Suspect Carballo had what appeared to be a gunshot wound on the right side of his neck, just below his right ear. The suspect had what appeared to be a gunshot wound on his left hip. This gunshot wound appeared to be a through and through wound with an exit wound appearing on the back of the suspect's left hip. The suspect had a gunshot wound on his right hip. The suspect had a through and through gunshot wound on

his left leg, approximately four inches above his ankle. This one appeared to enter in the front of the leg and exit at the rear of the leg, behind the calf muscle.

Coroner's Investigator Goodman identified Suspect Manuel Carballo through a California driver's license that he had in his possession.

Suspect Manuel Carballo's companion was identified at this time as Suspect John Doe. Suspect John Doe was transported to Martin Luther King Hospital and admitted for a single gunshot wound to the abdomen. The suspect was admitted under the name John Doe #1177. Suspect John Doe's hospital patient number is 2108625.

At 0500 hours, Investigator contacted Dr. Moza at Martin Luther King Hospital who stated that the suspect was currently in critical condition and unable to be interviewed.

From Firestone Station Investigators obtained a tape of both the initial incoming call to Firestone Desk describing the shots being fired at the location, as well as the radio traffic between the responding deputies. This tape will be transcribed and made a permanent part of the case file.

On 05-10-93 at 0845 hours, Investigators transported the four firearms used by the deputies during the incident, to the Firearms Section of Scientific Services Bureau. These firearms were test fired by examiners from Scientific Services Bureau and ultimately returned to the deputies. Lab Receipt #H576777 was issued for the bullets and casings that were recovered as a result of the examination.

Firearms examiners will submit a complete and detailed report under the above file number regarding their findings. A copy of this report will be obtained by Investigators and made a permanent part of the case file.

On 05-10-93 at 0940 hours, Investigators were contacted at Homicide Bureau by **WITNESS** [redacted] MH/25. Witness [redacted] told Investigators that he is the [redacted] of Suspect Manuel Carballo. He said the second suspect who was wounded and was currently at Martin Luther King Hospital was Manuel's [redacted], identified as Osmin Antonio Carballo, MH/27, DOB: 11-30-65. Witness [redacted] said he had gone to Martin Luther King Hospital and visited Suspect Osmin Antonio Carballo after he was admitted and treated for the wounds. Witness [redacted] went on to say that he had notified Suspect Osmin Carballo's [redacted] of his injuries. He said on Saturday morning, 05-08-93, he was at the location where the shooting had occurred speaking to both Osmin Carballo and his brother, Manuel Carballo.

Witness [redacted] said they were both very drunk and had been drinking heavily prior to his arrival on Saturday morning. He said he left at approximately 1000 hours and both brothers were still drinking heavily. Witness [redacted] said he had nothing further to add and at this time the interview was terminated.

On 05-11-93 at 1130 hours, Investigators attended the autopsy of Suspect Manuel Enrique Carballo at the Los Angeles County Coroner's Office, performed by Dr. Selser. Also in attendance was District Attorney's Investigator Tom Hunter. An examination of Suspect Manuel Carballo's remains indicated that he had one through and through gunshot wound entering on the right side of his neck, below and behind his right ear. This gunshot wound appeared to exit on Suspect Carballo's left cheek, between his left ear and his left eye. Suspect Carballo had a grazing gunshot wound on his right shoulder that appeared to go from back to front. He had a gunshot wound on his right shoulder/back area. This gunshot wound appeared to be an entry wound and there was no exit wound corresponding with this gunshot.

Suspect Carballo had a gunshot wound on his right back, approximately two inches right of his spinal cord and six inches below his right arm pit. Dr. Selser indicated that this gunshot wound appeared to be an exit wound. The suspect had a gunshot wound on his left shoulder area which, per Dr. Selser, appeared to be an entry wound. Suspect Carballo had a through and through gunshot wound on his left hip area. This wound on the suspect's left hip appeared to enter on the front portion of the suspect's body and exited in his left rear hip/buttock area. The suspect had another gunshot wound on his right outer thigh/hip area, which Dr. Selser indicated was an entry wound.

Suspect Carballo also had a gunshot wound on his right chest area approximately two inches above his right nipple. Dr. Selser also indicated that this too was an entry wound. Suspect Carballo had what appeared to be a through and through gunshot wound on his left shin, approximately 4 inches above his left ankle. Dr. Selser indicated it appeared as if the bullet had entered the suspect's leg from the front and exited in the back of the leg. Dr. Selser indicated that the suspect appeared to have a total of eight gunshot wounds that were entry wounds. Three of these wounds were through and through gunshot wounds. In addition, the suspect had a single grazing wound on his right shoulder. Dr. Selser recovered six bullets and/or bullet fragments from the suspect's remains. These bullets (Evidence Held Item #2) were transported to the Firearm Section of Scientific Services Bureau for examination and testing. Lab Receipt #H576786.

Dr. Selser said the suspect's cause of death was multiple gunshot wounds. She told Investigators that the suspect could have died from any one of several of the gunshot wounds that he suffered,



including the one to the neck, the gunshot wound to the right chest, as well as the gunshot wound that the suspect suffered along his right leg that ultimately entered the lower abdomen.

A complete and detailed autopsy report prepared by Dr. Selser will be obtained by Investigators and made a permanent part of the case file.

Investigators obtained Suspect Manuel Carballo's clothing that he was wearing at the time of the incident from the Coroner's Office and booked this clothing into evidence. This clothing consisted of one pair of gray pants, one black belt, one short sleeved white T-shirt with blue trim that was covered in blood, one pair of white cotton underwear and one pair of black canvas shoes (Evidence Held Item #3).

On 05-11-93 at 1530 hours, Investigators attempted to contact Suspect Osmin Carballo at Martin Luther King Hospital. Investigators were told that Suspect Carballo was currently still in critical condition in the Intensive Care Unit and on a respirator. The suspect was unable to talk at this time and Investigators will attempt at a future date to interview Suspect Osmin Carballo.

Investigation continuing with further reports to follow.

BY: SERGEANT RICHARD ADAMS, [redacted]
INVESTIGATOR MARK LILLIENFELD, [redacted]
APPROVED BY: LIEUTENANT DERRY BENEDICT
HOMICIDE BUREAU - DETECTIVE DIVISION

CORTEZ/WPII

\ RED

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE MAY 28, 1993 FILE NO. 093-03630-0181-051

C- ASSAULT WITH A DEADLY WEAPON ON A POLICE OFFICER - 245(D) P.C./ DEPUTY INVOLVED SHOOTING

Action Taken ACTIVE/EVIDENCE HELD/ INVESTIGATION MADE CC #934479

V- (SEE BLOW)

D- 05-08-93 (SATURDAY) AT 2120 HOURS

L-

S- (SEE BELOW)

VICTIMS

V#1 - DEPUTY MIKE ARRIAGA

V#2 - DEPUTY ADAM ELLISON

V#3 - DEPUTY RICK RECTOR

V#4 - DEPUTY JIM REWALD

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SUSPECTS

S#1 - MANUEL ENRIQUE CARBALLO MH/30, DOB: 09-25-62
(DECEASED)

S#2 - OSMIN ATONIO CARBALLO MH/21, DOB: 11-30-65
(INJURED)

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EVIDENCE HELD

Item #1 - One Martin Luther King Hospital envelope, containing a spent bullet, removed from Suspect Osmin Carballo during surgery.

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On 05-25-93 at 1430 hours, Investigators contacted Suspect Osmin Carballo at Martin Luther King Hospital.

Suspect Osmin Carballo was interviewed by Investigators in his hospital room with the assistance of hospital employee [redacted] MH/25, acting as an interpreter. Osmin Carballo told Investigators that on the date of the incident, he was drinking heavily and was already drunk when he arrived to the location where the shooting occurred.

He stated the location belonged to a friend of his, although he was unable to recall the friend's name. He was unaware that his brother, the deceased Suspect, Manuel Enrique Carballo, was even with him at the location. Osmin Carballo stated he does remember being shot by a policeman inside the location. He said he told Investigators he did not remember who was in the kitchen, and he does not remember why he was shot. Although he was unsure of exactly when he arrived to the location, he recalled to Investigators he had been drinking and partying throughout the entire afternoon and evening.

Osmin Carballo told Investigators he had nothing further to add and could not answer any further questions regarding the incident, as he couldn't remember it. At this point the interview was terminated.

Investigators retrieved a spent bullet from Los Angeles County Safety Police Officer Cecil Hammock assigned to Martin Luther King Hospital. Officer Hammock told Investigators this bullet had been removed from Suspect Osmin Carballo during surgery while at Martin Luther King Hospital. This spent bullet was transported to the Firearms Section of the Sheriff's Crime Lab for examination by firearms examiners. A complete and detailed report will be prepared by firearms examiners and made a permanent part of this file.

Investigation to continue with further reports to follow.

BY SERGEANT RICHARD ADAMS, [redacted]
INVESTIGATOR MARK LILLIENFELD, [redacted]

APPROVED: LIEUTENANT DERRY BENEDICT
HOMICIDE BUREAU - DETECTIVE DIVISION

BRICE/WPII

\ RED

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE AUGUST 25, 1993 FILE NO. 093-03630-0181-051

C- ASSAULT WITH A DEADLY WEAPON ON A PEACE OFFICER - 245(C) P.C./DEPUTY INVOLVED SHOOTING/PERSON DEAD

Action Taken INACTIVE/CORRECTED STATEMENT

V- SEE BELOW

D- 05-08-93 AT 2120 HOURS

L- [redacted] EAST 89TH STREET, LOS ANGELES (FIRESTONE DISTRICT)

S- SEE BELOW

VICTIMS

#1 - Deputy Christopher Adam Ellison	MW/30
#2 - Deputy Michael Stephen Arriaga	MH/32
#3 - Deputy James Rewald	MW/29
#4 - Deputy Rick O'Niell Rector	MW/25

SUSPECTS

#1 - Manuel Enrique Carballo	MH/30	(Deceased
#2 - Osmin Antonio Carballo	MH/27	(Injured)

* * * * * * * * * * * * * * * *

On Monday, 08-23-93, Investigator Lillienfeld was contacted by Deputy James Rewald, assigned to Firestone Sheriff's Station. Deputy Rewald informed me he had received a letter from the Los Angeles County District Attorney absolving him of any criminal liability in the above referenced shooting. Deputy Rewald went on to tell me that in the District Attorney's letter there was a statement attributed to him regarding shooting at a second suspect. Deputy Rewald stated he did not make any such statement to either myself or the District Attorney's Office, nor did he in fact shoot at a second suspect.

When Deputy Rewald inquired with the District Attorney's Office they referred him to page #37 of the report prepared by myself and my partner Sergeant Richard Adams. Deputy Rewald asked me to double check my report and confirm that the statement written in our report coincided with what in fact he had told us. I checked page #37 of the typewritten report prepared by myself and Sergeant

Adams and the third paragraph of this report is a sentence reading, "Deputy Rewald told Investigators that he thought he fired 13 times and then reloaded, firing an additional two times towards the second suspect." This sentence should read, "and then reloaded, firing an additional two times towards the first suspect."

I also noted that the fourth paragraph of page #37 of the previously mentioned report reads, "Deputy Rewald fired two additional shots through the south wall of the home, towards the second suspect that he had seen in the kitchen window. He said that he thought that this suspect was also armed and firing at both him and Deputy Arriaga. He said after firing at the second suspect, that he had seen through the kitchen window, he saw the suspect move away and heard a single gunshot."

This paragraph describing Deputy Rewald's statements attributing two additional shots through the home towards the second suspect is incorrect and should not be in the typewritten statement.
Deputy Rewald reiterated to me that he did in fact fire two rounds towards the first suspect, and he saw the second suspect, and then heard a round being fired from within the interior of the home. When he ran through the west door he saw Deputy Ellison attempting to handcuff the second suspect and assisted him.

This corrected statement of Deputy Rewald's will be made a permanent part of the case file.

This case stands inactive.

BY SERGEANT RICHARD ADAMS, #[redacted]
INVESTIGATOR MARK LILLIENFELD, #[redacted]
APPROVED: LIEUTENANT D. BENEDICT dw
HOMICIDE BUREAU - DETECTIVE DIVISION

VANOVER/SEC 5

